

## **LAND USE AND ZONING COMMITTEE**

*December 13, 2007*

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 6:55 p.m.

The following members were present: Messrs. Bodnar, Hazel, Haycox, Morse, Welch, and Messes. Ross, and Diak. Staff: David Radachy. Audience: Mr. Irving Fine, Larry Nader, Properties Development, Mr. Joseph Gutoskey, Gutoskey and Associates, and Nestor Papageorge, Alexander Homes

### **Concord Township: Proposed District Text for EGB**

Staff stated the proposed text change would create a new district called EGB, Extended Gateway Business. The proposed text change was a list of proposed uses that were once permitted, conditional or accessory uses in the BX zone. Staff went on to explain that 27% of the permitted uses and 83% of the conditional uses are currently allowed in the general business district. Staff stated that the percentage of conditional uses could have been higher except for the Township making two of the conditional uses into permitted uses. Staff also stated that Township Zoning provides for 66% of the remaining uses in the BX and M zones.

Staff explained that the Gateway Business District was created as part of the Auburn Crile Plan. The Auburn-Crile Road Business Corridor Study 2006 recommended the creation of the Gateway Business District to capitalize on the economic development potential of Auburn Road Corridor. The uses that are recommended and allowed under GB are oriented to professional office, retail and commercial. Industrial, trade business and general contractor uses were recommended to not be permitted.

Staff also gave the following timeline:

- December 2005 Staff and Concord Township begin Auburn-Crile Corridor Study.
- May 2006, Plan is adopted by Trustees.
- June 2006, Staff and Twp. Zoning officials begin zoning review in response to plan.
- March 2007, Twp. Zoning Commission sets public hearing.
- March 2007, Planning Commission recommended the creation of the GB.
- June 2007, GB District text becomes effective.
- June 2007, Planning Commission recommended the district change to GB.
- September 2007, the GB District Change along Auburn Road becomes effective.

Staff showed the property the applicant owns and explains that the property is designed for light industrial, warehouse and office uses. Some of the uses that are currently in place are non-conforming.

Staff recommended against the text change because it does not conform to the 2006 Auburn Crile Corridor Study and the text does not have design standards.

The committee asked if the owners of the property had an opportunity to comment on the zoning text changes and district changes. Staff stated that they had the opportunity during the planning and the zoning process. The committee asked about non-conforming uses. Staff and Mr. Bodnar explained that the current user can continue the use as long as they like. If they stop for more than two years, the use is no longer valid and the use is not transferable to another user.

Mr. Hazel made a motion to recommend the staff recommendation to not recommend the text change.

Mr. Welch seconded the motion.

All voted "Aye".

Motion passed.

### **District Change GB to EGB**

Staff stated that, if the text amendment is not recommended, then we cannot recommend the district change.

Mr. Morse made a motion not to recommend the district change.

Mr. Welch seconded the motion.

All voted "Aye".

Motion passed.

Mr. Welch motioned to adjourn.

Meeting adjourned at 7:15 p.m.